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MARTIN L. WIENER (NEW YORK)

March 17, 2008

Via Facsimile & Regular Mail

Stanley S. Zinner, Esq.  
 58 South Service Road  
 Melville, New York 11747

Re: Liberty Mutual Insurance Company v. Columbus Construction Corp., Canal  
 Asphalt, Inc. and August M. Nigro  
 Case No.: 07-CV-2857 (CLB)

Dear Mr. Zinner:

In response to our recent request for extension of the motion schedule in the above-referenced matter, I heard from Judge Brieant's Chambers this morning. The Court has extended Liberty Mutual's time to file its motion for summary judgment to March 28, 2008. The motion will be returnable on May 2, 2008 at 10:00 a.m.

In addition, in the event that the parties are unable to settle the action and file a stipulation of dismissal by that date, the next conference before Judge Brieant will be on May 2, 2008 at 10:00 a.m.

Liberty Mutual continues to reserve all of its rights, claims and defenses in this matter.

Very truly yours,

*Darryl Weissman*  
 DARRYL WEISSMAN

DW:lb

cc: Judge Charles L. Brieant (via fax)  
 Douglas J. Wills, Esq. (via fax)

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